

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE:) CHAPTER 13
)
BINITA S. BASNET) CASE NO. 20-11389
)
DEBTOR.) JUDGE BRIAN F. KENNEY

U.S. BANK TRUST NATIONAL)
ASSOCIATION AS TRUSTEE OF)
CHALET SERIES IV TRUST)
MOVANT,)

V.)

BINITA S. BASNET)
10250 CHERRY WALK COURT)
OAKTON, VA 22124,)
DEBTOR,)

TOFIN BASNET)
10250 CHERRY WALK COURT)
OAKTON, VA 22124,)
CO-DEBTOR,)

THOMAS P. GORMAN,)
TRUSTEE)
300 N. WASHINGTON STREET)
SUITE 400)
ALEXANDRIA, VA 22314,)
RESPONDENTS.)

ORDER GRANTING IN REM RELIEF FROM STAY AND CO-DEBTOR STAY

This matter is before the court on October 28, 2020, on the motion of U.S. Bank Trust National Association as Trustee of Chalet Series IV Trust (“Movant”) for relief from the

automatic stay and co-debtor stay with respect to the real property located at 10250 Cherry Walk Court, Oakton, VA 22124 ("Property").

Upon consideration of the Motion of U.S. Bank Trust National Association as Trustee of Chalet Series IV Trust to modify the automatic stay; it is

ORDERED that the stay imposed by 11 U.S.C. §362 and 11 U.S.C. § 1301 is modified to permit the movant to enforce the lien of its deed of trust as it pertains to the real property located at 10250 Cherry Walk Court, Oakton, VA 22124, and is more particularly described as follows:

Lot One (1), Cherrywood Square, resubdivision of Oakton Village, Section Two-A (2-A), as the same appears duly dedicated, platted and recorded in deed Book 4583 at Page 572, et seq., as corrected in Deed Book 4588 at Page 202, among the land records of Fairfax County.

which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such other action under state law, as may be necessary, to obtain possession of the property; is further

ORDERED FURTHER that said relief is granted pursuant to 11 U.S.C. § 362(d)(4)(b) and Movant may record a copy of this Order in the real estate records of the county in which the Property lies, which shall be valid and enforceable for a period of two (2) years following the entry of this Order. It is further

ORDERED that this Order is appealable within 14 days of its entry.

DONE at Alexandria, Virginia, this ____ day of November, 2020

Nov 12 2020

/s/ Brian F Kenney

United States Bankruptcy Judge

ENTERED ON DOCKET: Nov 13 2020

I ASK FOR THIS:

/s/ Keith Yacko

Keith Yacko

Virginia Bar No. 37854

3550 Engineering Dr.
Suite 260
Peachtree Corners, GA. 30092
470-289-4347
kyacko@mtglaw.com
Attorney for Movant

CERTIFICATION

The undersigned certifies, pursuant to Rule 9022 1(c) that the foregoing Order has been served upon all necessary parties and that a certification of mailing is being filed with this Order, indicating upon whom the foregoing Order was served and date and manner of such service.

/s/ Keith Yacko
Attorney for Movant

Will the clerk please send copies of this Order in electronic format to all parties who are listed on the ECF system and to:

Binita S. Basnet
10250 Cherry Walk Court
Oakton, VA 22124

Tofin Basnet
10250 Cherry Walk Court
Oakton, VA 22124